

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Olena Kalichenko,

Case No. 24-CV-02426 (JMB/JFD)

Plaintiff,

v.

**ORDER**

Warden Michael Sepal, *FCI Waseca*; Captain  
Koch, *FCI Waseca*; and Unit Manager  
Kopischke, *FCI Waseca*,

Defendants.

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This matter is before the Court on the Report and Recommendation (R&R) of United States Magistrate Judge John F. Docherty dated July 31, 2024. (Doc. No. 11.) The R&R recommends that this action be dismissed without prejudice under Federal Rule of Civil Procedure 41(b) for Kalichenko's failure to prosecute it. (*See id.*) Neither party has objected to the R&R, and the time to do so has now passed. *See* D. Minn. L.R. 72.2(b)(1).

In the absence of timely objections, the Court reviews the R&R for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (*per curiam*).

Finding no clear error, and based upon all the files, records, and proceedings in the above-captioned matter, IT IS HEREBY ORDERED THAT:

1. The R&R (Doc. No. 11) is ADOPTED.
2. The Court dismisses this action without prejudice.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: September 30, 2024

/s/ Jeffrey M. Bryan  
Judge Jeffrey M. Bryan  
United States District Court